

Statement of Deficiencies

1103-A.-D.: Critical Incidents and Required Notification

Not Met

1103-A.-D.: An early learning center shall make immediate notification to emergency personnel, law enforcement as applicable, and other appropriate agencies for the following types of critical incidents involving children in care:

1. death;
 2. serious injury or illness that required medical attention;
 3. reportable infectious diseases and conditions listed in LAC 51.II.105; and
 4. any other significant event relating to the health, safety, or well-being of any child, including but not limited to a lost child, an emergency situation, fire or other structural damage, or closure of the center.
- B. The parent shall be contacted immediately following any immediate notifications made under Subsection A.
- C. The Licensing Division and other appropriate agencies shall be notified via email within 24 hours of the incident.
- D. The Licensing Division shall be notified by written report within 24 hours of the incident or the next business day. This written notification shall be made on the Licensing Division's Critical Incidents Report Form and shall contain all information requested on the form.

Finding:

1103-C.-D. Based on record review/observations/interview(s): S8 failed to notify, within 24 hours of the incident, the Licensing Section of the following critical incident: On 5/7/18, between the times of 2:29pm and 3:16pm, S9 was observed (on camera) yanking C1 up by the arms, roughly placing him into a chair, then yanking him back out of the chair by one arm and slamming him back into the chair. S9 can then be seen forcefully grabbing C2 from behind both arms and placing him on the floor. S9 can later be seen grabbing C1 by one arm and pushing towards the door, causing him to fall. S9 is then seen yanking C1 off the ground by the left arm and forcefully leading him the line of students. S9 can then be seen yanking C1 out of line, lifting him by both arms, and forcefully puts him against the wall near the exit door. S9 was terminated that day, 5/7/18. S8 contacted Licensing via email on 5/9/18 at 1:18pm regarding the incident. S8 failed to notify the Division of Licensing by written report within 24 hours of the incident or by the next business day. The written notification shall be made on the Licensing Division's Critical Incidents Report Form and shall contain all information requested on the form. Licensing received the written report from S8 on 5/10/18.

1509-A.8. a-b: Behavior Management Policy

Not Met

1509-A.8. a-b: Behavior Management Policy

Each center shall develop and implement a written behavior management policy describing the methods of behavior guidance and management that shall be used at the center.

The behavior management policy shall prohibit children from being subject to any of the following:

- i. physical or corporal punishment which includes but is not limited to yelling, slapping, spanking, yanking, shaking, pinching, exposure to extreme temperatures or other measures producing physical pain, putting anything in the mouth of a child, requiring a child to exercise, or placing a child in an uncomfortable position.
- ii. verbal abuse, which includes but is not limited to using offensive or profane language, telling a child to "shut up", or making derogatory remarks about children or family members of children in the presence of children;
- iii. the threat of a prohibited action even if there is no intent to follow through with the threat;
- iv. being disciplined by another child;
- v. being bullied by another child;
- vi. being deprived of food or beverages;
- vii. being restrained by devices such as high chairs or feeding tables for disciplinary purposes; and
- viii. having active play time withheld for disciplinary purposes, except timeout may be used during active play time for an infraction incurred during the playtime.

Finding:

1509-A.8. a-b Based on observations/record review/interview(s): S9 used a prohibited method of discipline as C1 and C2 were subjected to physical punishment/corporal punishment. On 5/7/18, between the times of 2:29pm and 3:16pm, S9 was observed (on camera) yanking C1 up by the arms, roughly placing him into a chair, then yanking him back out of the chair by one arm and slamming him back into the chair. S9 can then be seen forcefully grabbing C2 from behind both arms and placing him on the floor. S9 can later be seen grabbing C1 by one arm and pushing towards the door, causing him to fall. S9 is then seen yanking C1 off the ground by the left arm and forcefully leading him the line of students. S9 can then be seen yanking C1 out of line, lifting him by both arms, and forcefully puts him against the wall near the exit door. S9 was terminated that day, 5/7/18.

1911-I.-J.: Proper Lifting of a Child

Not Met

1911-I.-J.: I. Staff members shall adhere to proper techniques for lifting a child.

J. Staff members shall not lift a child by one or both arms.

Finding:

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1911-I.-J. Based on observations/record review/interview(s): Staff did not lift a child using proper lifting techniques, staff lifted a child using one or both arms. On 5/7/18, S9 was observed pulling C1 up, by one or both arms, six times between the times of 2:29pm and 3:16pm.

1915-B.&C: Health Services - Parental Notification

Not Met

1915-B.&C:

B. Reporting. Incidents, injuries, accidents, illnesses, and unusual behavior shall be documented and reported to the parent no later than when the child is released to the parent or authorized representative on the day of the occurrence.

C. Immediate Notification. The parent shall be immediately notified in the following circumstances:

1. blood not contained in an adhesive strip;
2. head or neck or eye injury;
3. human bite that breaks the skin;
4. animal bite;
5. impaled object;
6. broken or dislodged teeth;
7. allergic reaction skin changes (e.g. rash, spots, swelling, etc.);
8. unusual breathing;
9. symptoms of dehydration;
10. temperature reading over 101° oral, 102° rectal, or 100° axillary; or
11. injury or illness requiring professional medical attention.

Finding:

1915-B. Based on observations/record review/interviews: S8 did not have documentation of all incidents. On 5/7/18, at 2:46pm, S9 was observed on video forcefully grabbing C2 from behind both arms and placing him on the floor. As of 6/19/18, C2's parents had not been notified of the incident.